



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JAY H. CONNELLY

Application No.: 09/823,421

Filed: March 29, 2001

For: SYSTEM AND METHOD FOR

TRANSPARENTLY OBTAINING CONSUMER PREFEENCES FOR PRODUCTS, PRODUCT FEATURES

AND DOODLICT MADVETING

Art Group: 2163

Examiner: To Be Assigned

RECEIVED
JUN 1 8 2003
GROUP 3600

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated March 27, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated April 3, 2003.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 12, 2003

Thomas M. Coester, Reg. No. 39,637

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan M. Barrette

Date

06-12-03

Complete if Known Substitute for form 1449A/PTO 09/823,421 Application Number **INFORMATION DISCLOSURE** March 29, 2001 Filing Date First Named Inventor Jay H. Connelly STATEMENT BY APPLICANT 2163 Art Unit (use as many sheets as necessary) To Be Assigned **Examiner Name** 2 1 Attorney Docket Number Sheet of 42390P10861

			U.S. PATE	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5,838,678	11-17-1998	Davis, et al.	
		US-			
		US-		HECEIV	
		US-		PECEIV	n3
		US-		JON 1 0 20	
		US-		GROUP 3	1600
		US-		GNOOL	,000.
		US-			

	FOREIGN PATENT DOCUMENTS							
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,	т6		
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		EP 1 043 892 A1	10-11-2000	Sony Corporation				
		EP 1 089 571 A2	04-04-2001	Sony Corporation				
		WO 00/59204	10-05-2000	Diva Systems Corporation				
<b>!</b>								
	<u> </u>							
		•						
		İ						

Examiner	Date
Signature	Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 05/02/2003.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

C mplet if Known					
Application Number	09/823,421				
Filing Date	March 29, 2001				
First Named Inventor	Jay H. Connelly				
Art Unit	2163				
Examiner Name	To Be Assigned				
Attorney Docket Number	42390P10861				

OTHER ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Ţ²			
		Information Technology - Generic Coding of Moving Pictures and Associated Audio: Systems, Recommendation H.222.0, November 13, 1994, 155 pages				
		RECEIVED				
		JUN 1 8 2003				
		GROUP 3600	,			
	s					

Examiner	•	Date	
Signature		Considered	4

Based on PTO/SB/08B (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 05/02/2003. Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

O MINISTER OF THE PARTY OF THE

2/63 # 27 6.20-03

TRANSMITTAL FORM			Application No. 09/823,421						
IRANS	DIVILLIAL F	ORIVI	Filing Date	March 29, 2001					
(to be used for all	correspondence aft	er initial filing)	First Named Inventor	Jay H. Connelly					
			Group Art Unit	2163					
			Examiner Name	To Be Assigned					
Total Number of	Pages in This Submission	on 7	Attorney Docket Number	r 42390P10861					
	ENCLOSURES (check all that apply)								
Fee Transmittal	Form	Drawing(s)	)	After Allowance Communication to Group					
Fee Attac	hed	Licensing-re	elated Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment / Re	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Fina Affidavits	ıl /declaration(s)	Petition to O Provisional	Convert a Application	Proprietary Information					
Extension of Tim	ne Request	Power of Al Change of 0	ttorney, Revocation Correspondence Address	Status Letter					
Express Abando	nment Request	Terminal D	Disclaimer	Other Enclosure(s) (please identify below):					
Information Disc	losure Statement	Request for	equest for Refund -Return Receipt I						
PTO/SB/0		CD, Numbe	er of CD(s)	-PCT Search Report (8 pgs) -Cited References (5 Refs/196 pgs)					
Document(s)	ssing Parts/			RECEIVED					
Incomplete Appli	cation Filing Fee	Remarks		IIIN 1 C cocc					
	aration/POA		<b>-</b>	0014 1 8 5003					
Response Parts und 1.52 or 1.5	e to Missing er 37 CFR 53			JUN 1 8 2003 GROUP 3600					
	SIGNATUR	E OF APPLICAN	NT, ATTORNEY, OR A	GENT					
Firm	Thomas M. Co	ester, Reg. N	o. 39,637						
<i>or</i> Individual name	BLAKELY, S	OKOLOFF,	TAYLOR & ZAI	FMAN LLP					
Signature	Thomas C	reste							
Date	June 12, 2003								
CERTIFICATE OF MAILING/TRANSMISSION									
				rvice on the date shown below with sufficient 1450, Alexandria, VA 22313-1450.					
Typed or print d na	ame Susan M Ba	rrete	2						
Signature	(S/74	Drett	フ	Date June 12, 2003					

FEE TRANSMITTAL	Complete if Known				
	Application Number	09/823,421			
for FY 2003	Filing Date	March 29, 2001			
Effective 01/01/2003. Patent fees are subject to annual revision.	First Named Inventor	Jay H. Connelly			
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name	To Be Assigned	29, 2001 Connelly Assigned		
	Group/Art Unit	2163			
TOTAL AMOUNT OF PAYMENT (\$)	Attorney Docket No.	42300P10861			

METHOD OF PAYMENT (check one)				FE	EE CALCULATION (continued)
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None	3. Al	ODITIO	NAL	FEES	5
Deposit Account	Large	Entity	<sub> </sub> Sma	II Entity	ty
	Fee Code	Fee	Fee Code	Fee	_
Deposit Account Number 02-2666	Code	(\$)	Code	(\$)	Fee Description Fee Paid
Number	1051 1052	130 50	2051 2052	65 25	
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP		-			cover sheet.
Name Blakely, Sokololi, Taylol & Zaliliali LLF	2053	130	2053	130	- · ·
The Commissioner is authorized to: ( check all that apply)	1812 1804	2,520 920 *	1812	2,520 920	* ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '
Charge fee(s) indicated below Credit any overpayments	1804	GEO	1804	320	Examiner action
Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840 *	1805	1,840	* Requesting publication of SIR after Examiner action
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account	1051	440		EE	
FEE CALCULATION	1251	110 410	2251	55 205	
1. BASIC FILING FEE	1252 1253	930	2252	465	Extension for reply within third month
Large Entity   Small Entity	1254	1,450	2254	725	Extension for reply within fourth month
Fee Fee Fee Fee Fee Description Fee Paid	1255	1,970	2255	985	Extension for reply within fifth month
	1404	320	2401	160	Notice of Appeal
1001 750 2001 375 Utility filing fee 1002 330 2002 165 Design filing fee	1402	320	2402	160	Filing a brief in support of an appeal
1002 330 2002 165 Design filing fee	1403	280	2403	140	Request for oral hearing
1004 750 2004 375 Reissue filing fee	1451	1,510	2451	1,510	Petition to institute a public use proceeding
1005 160 2005 80 Provisional filing fee	1452	110	2452	56	Petition to revive - unavoidable
SUBTOTAL (1) (\$)	1453	1,300	2453	650	Petition to revive - unintentional
	1501	1,300	2501	650	Utility issue fee (or reissue)
2. EXTRA CLAIM FEES Extra Fee from Claims below FeePaid	1502	470	2502	235	Design issue fee
Total Claims	1503 1460	630 130	2503 2460	315 130	
Independent Claims 20 = X X = = X X X = = X X X X X X X X X	1807	50	1807	50	Petitions to the Commissioner  Processing fee under 37 CFR 11761A4
Multiple Dependent =	1806	180	1806	180	Processing fee under 37 CFR 1.170N 1 8 2003
Large Entity   Small Entity	8021	40	8021	40	Recording each patern assignment pat
Fee Fee Fee Fee Description					Recording each pater as a marker UP 3600
Code (\$) Code (\$)	1809	750	1809	375	
1202 18 2202 9 Claims in excess of 20 1201 84 2201 42 Independent claims in excess of 3	1810	750	2810	375	·
1201 84 2201 42 Independent claims in excess of 3  1203 280 2203 140 Multiple Dependent claim, if not paid			20.0	0.0	examined (37 CFR § 1.129(b))
1204 84 2204 42 **Reissue independent claims over original	1801	750	2801	375	Request for Continued Examination (RCE)
patent	1802	900	1802	900	Request for expedited examination of a design application
1205 18 2205 9 <sup>**</sup> Reissue claims in excess of 20 and over original patent	Other fee	e (specify)			
SUBTOTAL (2) (\$)					
**or number previously paid, if greater, For Reissues, see below	* Reduced	l by Basic F	iling Fee	Paid	SUBTOTAL (3) (\$)
SUBMITTED BY					
	l Re	gistratio	n No.		Complete (if applicable)
Name (Print/Type) Thomas M. Coester		orney/Age		] 3	<b>39,637</b> Telephone. (310) 207-3800
Signature Thomas Colote			_		Date 06/12/03